

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

| | | |
|----------------------------|---|-------------------------------------|
| JEFFREY WILLIMAN, | : | |
| Plaintiff, | : | Case No. 3:07CV059 |
| vs. | : | District Judge Thomas M. Rose |
| | | Magistrate Judge Sharon L. Ovington |
| MICHAEL J. ASTRUE, | : | |
| Commissioner of the Social | : | |
| Security Administration, | : | |
| Defendant. | : | |

DECISION AND ENTRY

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #12), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on March 10, 2008 (Doc. #12) is ADOPTED in full;
2. The Commissioner's non-disability finding is VACATED;
3. The Clerk of Court is directed to enter Judgment favor of Plaintiff Jeffrey Williman and against Defendant Commissioner of the Social Security Administration;

4. This case is REMANDED to the Social Security Administration under Sentence Four of 42 U.S.C. §405(g) for calculation and payment of Disability Insurance Benefits and Supplemental Security Interest pursuant to this Decision and Entry and consistent with the Social Security Act; and
5. The case is terminated on the docket of this Court.

March 25, 2008

s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge